

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

COMMUNITY FINANCIAL SERVICES  
ASSOCIATION OF AMERICA, LTD., and  
CONSUMER SERVICE ALLIANCE OF  
TEXAS,

*Plaintiffs,*

v.

CONSUMER FINANCIAL PROTECTION  
BUREAU and JOHN MICHAEL  
MULVANEY, in his official capacity as  
Acting Director, Consumer Financial  
Protection Bureau,

*Defendants.*

Civil Action No. 1:18-cv-295

**JOINT STATUS REPORT**

Plaintiffs Community Financial Services Association of America, Ltd., and Consumer Service Alliance of Texas, together with Defendants the Bureau of Consumer Financial Protection (Bureau) and John Michael Mulvaney, in his official capacity as Acting Director of the Bureau, (collectively, the “Parties”) submit this Joint Status Report pursuant to the Court’s Order dated August 28, 2018 (ECF No. 39).

In this litigation, Plaintiffs challenge the Bureau’s “Payday, Vehicle Title, and Certain High-Cost Installment Loans” rule (“Payday Rule” or “Rule”). As previously reported to the Court, the Bureau intends to engage in a rulemaking process to reconsider that Rule. The Bureau can now report that it intends to issue notices of proposed rulemaking in January 2019 to reconsider the Rule and address the Rule’s compliance date, which is currently scheduled for

August 19, 2019. More specifically, as the Bureau announced on October 26, 2018, it currently plans to propose revisiting the Rule's provisions that require lenders to assess borrowers' ability to repay before making covered loans, but not provisions that apply to lenders' withdrawing payments for covered loans from consumers' bank accounts. *See Public Statement Regarding Payday Rule Reconsideration and Delay of Compliance Date* (Oct. 26, 2018), <https://go.usa.gov/xPPuR>. We note that Plaintiffs have challenged both aspects of the Rule in this litigation. The Bureau will not make final decisions regarding the scope of the proposed rules until closer to their issuance.

Dated: October 26, 2018

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 26, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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